JANUARY 16, 1775.

An Act had, done, and expedited in the Palace of the Right Rev. Father in God WILLIAM *by Divine Permiſſion Lord Biſhop of the Dioceſe of* Glouceſter, *before the ſaid Lord Biſhop, and the Worſhipful and Rev.* JAMES BENSON, *L L. D. Vicar General in Spirituals of the ſaid Right Reverend Father, and of his Epiſcopal Conſiſtory Official Principal lawfully conſtituted, and in the Preſence of* THOMAS RUDGE, *Notary Publick, Deputy Regiſter, and the Actuary lawfully aſſumed. Preſent the Rev.* JOSIAH TUCKER, *D. D. Dean of* Glouceſter, *and the Rev.* CHARLES BERTIE, *Clerk, A. M. Prebendary of* Glouceſter.

HAVARD ſurviving Promoter of this Cauſe againſt EVANSON, Clerk, } For Informations and Sentence.

P. and S. B. and J.

ON this Day appeared perſonally, *Robert Jenner*, Notary Publick, and one of the Proctors General of the Arches Court of *Canterbury*, who exhibited as Proctor, and made himſelf a Party for the Rev. *Edward Evanſon*, Clerk, Party in this Cauſe jointly with *Branch*, his original Proctor therein, and *Neaſt Havard*, Gentleman, and the Rev. *Edward Evanſon*, Clerk, the Parties in this Cauſe, being preſent in Judgement without revoking their Proctors, conſented to Time and Place,

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and that Informations ſhould be immediately had, notwithſtanding the Aſſignation of the Court ſtands for Sentence in this Cauſe on the 26th Inſtant; and ſome Informations being had *Branch* and *Jenner* alledged that the Citation ſerved and returned in this Cauſe is different from the Articles given in and admitted in the ſame Cauſe, and therefore, on Account of ſuch Difference, the Proceedings had upon them are null and void: That it appearing by the Report of the Regiſter, that the original Articles given in and admitted in this Cauſe, and the Exhibits thereunto annexed, were annexed to the original Commiſſion for Examination of Witneſſes iſſued under Seal in this Cauſe, and were, together with the ſaid Commiſſion, carried by him to the Commiſſioners, who executed the ſaid Commiſſion: That, during the whole Time of the Examination of the Witneſſes, who were examined by Virtue of the ſaid Commiſſion as he was preſent, the ſaid original Articles and Exhibits lay upon the Table at which the Witneſſes were examined before him and *George Holland*, Notary Publick, the other Examiner under the ſaid Commiſſion; but that, during the Time he was preſent, the Witneſſes were chiefly examined from and upon printed Copies of Articles which they found upon the Table in the Room where the Commiſſion was executed, and which they looked upon to be Copies of the ſaid original Articles, and the ſaid original Articles and Exhibits were referred to by him and the ſaid *George Holland*, the Examiners now and then; and that to the beſt of his Remembrance no one Witneſs was wholly examined upon or from the ſaid original Articles: And alſo, that the Witneſſes examined by him in the Regiſtry were examined in the ſame Manner from one of the ſaid printed Articles in his Poſſeſſion, the ſaid original Articles and Exhibits lying on the Deſk before him: And the ſaid *Branch* and *Jenner* further alledged, that Mr. *John Skinner Stock*, one of the Proctors of the Promoters of this Cauſe, is Apparitor General of the Biſhop of this Dioceſe, and that in that Capacity it is incompatible and illegal for him to act as a Proctor of this Court, and that many of

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the Acts in the ſaid Cauſe have been done ſingly by him the ſaid *Stock*, as Proctor therein; and that therefore all ſuch Acts are illegal, and null, and void, and therefore prayed that for theſe Reaſons the Judge would pronounce, that the Promoters have failed in the Proof of the Articles given and admitted in this Cauſe; and that their Client ought to be diſmiſſed from all further Obſervance of Juſtice in this Behalf, and that he would diſmiſs him accordingly, and condemn the ſurviving Promoter in Coſts. The ſaid *Phillipps* and *Stock* alledged, that the ſeveral Allegations made, and Exceptions taken, by *Branch* and *Jenner*, and above ſet forth, are frivilous and inconcluſive, and ought not to preclude them the ſaid *Phillipps* and *Stock* from proceeding to further Informations, and therefore prayed his Lordſhip and his Chancellor to decree the Depoſitions taken in this Cauſe to be read, and the Informations to be proceeded in: Whereupon his Lordſhip and the Chancellor rejected *Branch* and *Jenner*'s Petition, and ordered the Depoſitions to be read, the ſaid *Branch* and *Jenner* proteſting of a Grievance and of appealing, and immediately appealed, and depoſited Ten Shillings for the Stamp of the Appeal.